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8	UNITED STATES DISTRICT COURT		
9	FOR THE NORTHERN DISTRICT OF CALIFORNIA		
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11	UNITED STATES OF AMERICA,) No. CR-00-0284 CRB	
12	Plaintiff,)	
13	VS.	DEFENDANT'S OPPOSITION TO GOVERNMENT'S APPLICATION	
14	PAVEL IVANOVICH LAZARENKO,	TO TAKE POST-CONVICTION DISCOVERY AND REQUEST FOR	
15	Defendant.) BRIEFING SCHEDULE	
1617		Date: TBATime: TBACourtroom: Judge Charles R. Breyer	
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19	On August 2, 2013 the government filed a pleading entitled "Ex Parte Application of the		
20	United States To Take Post-Conviction Discovery Pursuant To 21 U.S.C. § 853(m) and Federal		
21	Rule of Criminal Procedure 32.2(b)(3)." Defendant Pavel Lazarenko hereby opposes that motion		
22	and requests that it be heard and decided on a schedule that will permit full and adversarial		
23	briefing.		
24	The government seeks leave to conduct discovery by deposition and subpoena, apparently		
25	without limitation, not only against Mr. Lazarenko, but against unnamed third parties. The		
26	ostensible basis for doing so are orders in this matter for forfeiture of over twenty two million		
27	dollars and for a fine in the amount of nine million dollars. Both orders are based on Mr.		
28	Lazarenko's 2004 convictions for eight money laundering offenses occurring no later than		
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1	September of 1998. Mr. Lazarenko was subject to confinement in one form or another between		
2	his arrival in this country in February 1999 and 2013, when he completed his prison sentence on		
3	the aforementioned money laundering convictions. As the government is well aware, all		
4	proceeds from Mr. Lazarenko's money laundering offenses, along with a great deal of additional		
5	funds, were seized by the government over a decade ago and are presently the subject of ongoing		
6	civil forfeiture proceedings in federal court in the District of Columbia in which the government		
7	is the plaintiff.		
8	The government's discovery motion raises substantial legal issues and should be decided		
9	only after full briefing and oral argument. Mr. Lazarenko therefore asks that the Court establish		
10	the following briefing schedule: Lazarenko's brief in opposition is to be filed on Friday, August		
11	23 rd ; the government may reply by Friday, August 30 th ; with the matter to be heard on the Court's		
12	criminal calendar on September 11th at 2:30 p.m. Defendant Lazarenko is, of course, prepared to		
13	argue the government's motion on another date if that is more convenient for the Court.		
14	CONCLUSION		
15	For the reasons stated, the Court should issue a briefing schedule in this matter.		
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17	Dated: August 5, 2013 Respectfully submitted,		
18	By /s/ Dennis P. Riordan		
19	Dennis P. Riordan		
20	Attorney for Defendant PAVEL LAZARENKO		
21	TAVEL LAZARENKO		
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